



General Assembly

February Session, 2014

Raised Bill No. 5216

LCO No. 1009



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT ADOPTING THE UNIFORM CERTIFICATE OF TITLE FOR VESSELS ACT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2016*) Sections 1 to 32,
2 inclusive, of this act may be cited as the Uniform Certificate of Title for
3 Vessels Act.

4 Sec. 2. (NEW) (*Effective January 1, 2016*) As used in sections 1 to 32,
5 inclusive, of this act:

6 (1) "Barge" means a vessel that is not self-propelled or fitted for
7 propulsion by sail, paddle, oar or similar device;

8 (2) "Builder's certificate" means a certificate of the facts of build of a
9 vessel described in 46 CFR 67.99;

10 (3) "Buyer" means a person that buys or contracts to buy a vessel;

11 (4) "Cancel", with respect to a certificate of title, means to make the
12 certificate of title ineffective;

13 (5) "Certificate of origin" means a record created by a manufacturer
14 or importer as the manufacturer's or importer's proof of identity of a
15 vessel. "Certificate of origin" includes a manufacturer's certificate or
16 statement of origin and an importer's certificate or statement of origin.
17 "Certificate of origin" does not include a builder's certificate;

18 (6) "Certificate of title" means a record, created by the Department of
19 Motor Vehicles pursuant to section 8 of this act or by a governmental
20 agency of another jurisdiction under the law of that jurisdiction, that is
21 designated as a certificate of title by the department or such agency
22 and is evidence of ownership of a vessel;

23 (7) "Commissioner" means the Commissioner of Motor Vehicles;

24 (8) "Dealer" means a person, including a manufacturer, in the
25 business of selling vessels;

26 (9) "Department" means the Department of Motor Vehicles;

27 (10) "Documented vessel" means a vessel covered by a certificate of
28 documentation issued pursuant to 46 USC 12105. "Documented vessel"
29 does not include a foreign-documented vessel;

30 (11) "Electronic" means relating to technology having electrical,
31 digital, magnetic, wireless, optical, electromagnetic or similar
32 capabilities;

33 (12) "Electronic certificate of title" means a certificate of title
34 consisting of information that is stored solely in an electronic medium
35 and is retrievable in perceivable form;

36 (13) "Foreign-documented vessel" means a vessel the ownership of
37 which is recorded in a registry maintained by a country other than the
38 United States that identifies each person that has an ownership interest
39 in such vessel and includes a unique alphanumeric designation for the
40 vessel;

41 (14) "Good faith" means honesty in fact and the observance of
42 reasonable commercial standards of fair dealing;

43 (15) "Hull identification number" means the alphanumeric
44 designation assigned to a vessel pursuant to 33 CFR 181, as amended;

45 (16) "Lien creditor", with respect to a vessel, means:

46 (A) A creditor that has acquired a lien on the vessel by attachment,
47 levy or the like;

48 (B) An assignee for benefit of creditors from the time of assignment;

49 (C) A trustee in bankruptcy from the date of the filing of the
50 petition; or

51 (D) A receiver in equity from the time of appointment;

52 (17) "Owner" means a person with legal title to a vessel;

53 (18) "Owner of record" means the owner indicated in the files of the
54 department or, if the files indicate more than one owner, the owner
55 first indicated;

56 (19) "Person" means an individual; corporation; business trust;
57 estate; trust; statutory trust; partnership; limited liability company;
58 association; joint venture; public corporation; government or
59 governmental subdivision, agency or instrumentality; or any other
60 legal or commercial entity;

61 (20) "Purchase" means to take by sale, lease, mortgage, pledge,
62 consensual lien, security interest, gift or any other voluntary
63 transaction that creates an interest in a vessel;

64 (21) "Purchaser" means a person that takes by purchase;

65 (22) "Record" means information inscribed on a tangible medium or
66 stored in an electronic or other medium that is retrievable in

67 perceivable form;

68 (23) "Secured party", with respect to a vessel, means a person:

69 (A) In whose favor a security interest is created or provided for
70 under a security agreement, whether or not any obligation to be
71 secured is outstanding;

72 (B) Who is a consignor under article 9 of title 42a of the general
73 statutes; or

74 (C) Who holds a security interest arising under section 42a-2-401,
75 section 42a-2-505, subdivision (3) of section 42a-2-711 or subsection (d)
76 of section 42a-2A-724 of the general statutes;

77 (24) "Secured party of record" means the secured party whose name
78 is indicated as the name of the secured party in the files of the
79 department or, if the files indicate more than one secured party, the
80 one first indicated;

81 (25) "Security interest" means an interest in a vessel that secures
82 payment or performance of an obligation if the interest is created by
83 contract or arises pursuant to section 42a-2-401, section 42a-2-505,
84 subdivision (3) of section 42a-2-711 or subsection (d) of section 42a-2A-
85 724 of the general statutes, including, but not limited to, any interest of
86 a consignor in a vessel in a transaction that is subject to article 9 of title
87 42a of the general statutes. "Security interest" does not include the
88 special property interest of a buyer of a vessel on identification of that
89 vessel to a contract for sale pursuant to section 42a-2-401 of the general
90 statutes, but a buyer may also acquire a security interest by complying
91 with article 9 of title 42a of the general statutes. Except as otherwise
92 provided in section 42a-2-505 of the general statutes, the right of a
93 seller or lessor of a vessel under article 2 of title 42a of the general
94 statutes or article 2A of title 42a of the general statutes to retain or
95 acquire possession of the vessel is not a security interest, but a seller or
96 lessor also may acquire a security interest by complying with article 9
97 of title 42a of the general statutes. The retention or reservation of title

98 by a seller of a vessel notwithstanding shipment or delivery to the
99 buyer under section 42a-2-401 of the general statutes is limited in effect
100 to a reservation of a security interest. Whether a transaction in the form
101 of a lease creates a security interest is determined by section 42a-1-203
102 of the general statutes;

103 (26) "Sign" means, with present intent to authenticate or adopt a
104 record, to:

105 (A) Make or adopt a tangible symbol; or

106 (B) Attach to or logically associate with the record an electronic
107 symbol, sound or process;

108 (27) "State" means a state of the United States, the District of
109 Columbia, Puerto Rico, the United States Virgin Islands, or any
110 territory or insular possession subject to the jurisdiction of the United
111 States;

112 (28) "State of principal use" means the state on whose waters a
113 vessel is or will be used, operated, navigated or employed more than
114 on the waters of any other state during a calendar year;

115 (29) "Title brand" means a designation of previous damage, use or
116 condition that is set forth on a certificate of title issued by another state
117 or other statement which shall be indicated on a certificate of title in
118 accordance with the provisions of section 9 of this act and any
119 regulations adopted by the Commissioner of Motor Vehicles under
120 section 29 of this act;

121 (30) "Transfer of ownership" means a voluntary or involuntary
122 conveyance of an interest in a vessel;

123 (31) "Vessel" means every description of watercraft, other than a
124 seaplane on water, used or capable of being used as a means of
125 transportation on water;

126 (32) "Vessel number" means the alphanumeric designation for a
127 vessel issued pursuant to 46 USC 12301 and chapter 268 of the general
128 statutes;

129 (33) "Written certificate of title" means a certificate of title consisting
130 of information inscribed on a tangible medium;

131 (34) "Agreement" has the same meaning as provided in subdivision
132 (3) of subsection (b) of section 42a-1-201 of the general statutes;

133 (35) "Buyer in ordinary course of business" has the same meaning as
134 provided in subdivision (9) of subsection (b) of section 42a-1-201 of the
135 general statutes;

136 (36) "Consumer goods" has the same meaning as provided in
137 subdivision (23) of subsection (a) of section 42a-9-102 of the general
138 statutes;

139 (37) "Debtor" has the same meaning as provided in subdivision (28)
140 of subsection (a) of section 42a-9-102 of the general statutes;

141 (38) "Knowledge" has the same meaning as provided in section 42a-
142 1-202 of the general statutes;

143 (39) "Lease" has the same meaning as provided in subdivision (17)
144 of subsection (a) of section 42a-2A-102 of the general statutes;

145 (40) "Lessor" has the same meaning as provided in subdivision (23)
146 of subsection (a) of section 42a-2A-102 of the general statutes;

147 (41) "Notice" has the same meaning as provided in section 42a-1-202
148 of the general statutes;

149 (42) "Sale" has the same meaning as provided in subdivision (1) of
150 section 42a-2-106 of the general statutes;

151 (43) "Security agreement" has the same meaning as provided in
152 subdivision (74) of subsection (a) of section 42a-9-102 of the general

153 statutes;

154 (44) "Seller" has the same meaning as provided in subdivision (1) of
155 section 42a-2-103 of the general statutes;

156 (45) "Send" has the same meaning as provided in subdivision (36) of
157 subsection (b) of section 42a-1-201 of the general statutes; and

158 (46) "Value" has the same meaning as provided in section 42a-1-204
159 of the general statutes.

160 Sec. 3. (NEW) (*Effective January 1, 2016*) Subject to section 27 of this
161 act, the provisions of sections 1 to 32, inclusive, of this act shall apply
162 to any transaction, certificate of title or record relating to a vessel, even
163 if the transaction, certificate of title or record was entered into or
164 created before January 1, 2016.

165 Sec. 4. (NEW) (*Effective January 1, 2016*) Unless displaced by a
166 provision of sections 1 to 32, inclusive, of this act, the principles of law
167 and equity supplement said sections.

168 Sec. 5. (NEW) (*Effective January 1, 2016*) (a) The local law of the
169 jurisdiction under whose certificate of title a vessel is covered governs
170 all issues relating to the certificate of title from the time the vessel
171 becomes covered by the certificate of title until the vessel becomes
172 covered by another certificate of title or becomes a documented vessel,
173 even if no other relationship exists between the jurisdiction and the
174 vessel or its owner.

175 (b) A vessel becomes covered by a certificate of title when an
176 application for the certificate of title and the applicable fee are
177 delivered to the Department of Motor Vehicles in accordance with
178 sections 6 and 7 of this act or to the governmental agency that creates a
179 certificate of title in another jurisdiction in accordance with the law of
180 that jurisdiction.

181 Sec. 6. (NEW) (*Effective January 1, 2016*) (a) Except as otherwise

182 provided in subsections (b), (c) and (d) of this section, the owner of a
183 vessel for which this state is the state of principal use shall deliver to
184 the Department of Motor Vehicles an application for a certificate of
185 title for the vessel, with the applicable fee, not later than twenty days
186 after the later of:

187 (1) The date of a transfer of ownership; or

188 (2) The date this state becomes the state of principal use.

189 (b) An application for a certificate of title is not required and shall
190 not be accepted, and no certificate of title shall be issued, for:

191 (1) A documented vessel;

192 (2) A foreign-documented vessel;

193 (3) A barge;

194 (4) An amphibious vehicle for which a certificate of title is issued
195 pursuant to chapter 247 of the general statutes or a similar statute of
196 another state;

197 (5) A vessel, other than a motorboat, as defined in section 15-141 of
198 the general statutes, less than nineteen and one-half feet in length;

199 (6) A vessel propelled solely by paddle or oar;

200 (7) A vessel that operates only on a permanently fixed,
201 manufactured course and the movement of which is restricted to or
202 guided by means of a mechanical device to which the watercraft is
203 attached or by which the watercraft is controlled;

204 (8) A vessel owned by the United States, a foreign government or a
205 state, or a political subdivision thereof, which is used in the
206 performance of governmental functions;

207 (9) A vessel used solely as a lifeboat on another watercraft;

208 (10) A vessel before delivery if the vessel is under construction or
209 completed pursuant to contract;

210 (11) A vessel held by a dealer for sale or lease;

211 (12) A stationary floating structure that:

212 (A) Does not have and is not designed to have a mode of propulsion
213 of its own;

214 (B) Is dependent for utilities upon a continuous utility hookup to a
215 source originating on shore; and

216 (C) Has no sewage facilities or has a permanent, continuous hookup
217 to a shoreside sewage system;

218 (13) A vessel designated by the manufacturer as having a model
219 year of 2016 or earlier, and any vessel manufactured or assembled
220 prior to January 1, 2017, for which the manufacturer or assembler has
221 not designated a model year; or

222 (14) A vessel for which a certificate of title has been issued by
223 another state when this state has become the state of principal use for
224 the vessel if one or more of the exceptions enumerated in this
225 subsection apply to such vessel.

226 (c) The exceptions in subsection (b) of this section shall not apply to
227 a vessel for which this state is the state of principal use that was a
228 documented vessel or a foreign documented vessel when it becomes
229 no longer a documented vessel or a foreign documented vessel.

230 (d) The department may not issue, transfer or renew a certificate of
231 title for a vessel issued pursuant to the requirements of 46 USC 12301,
232 unless the department has created a certificate of title for the vessel or
233 an application for a certificate of title for the vessel and the applicable
234 fee has been delivered to the department.

235 Sec. 7. (NEW) (*Effective January 1, 2016*) (a) Except as otherwise

236 provided in sections 14 and 18 to 21, inclusive, of this act, only an
237 owner may apply for a certificate of title.

238 (b) An application for a certificate of title shall be on a form that the
239 Commissioner of Motor Vehicles prescribes, be signed by the applicant
240 and contain:

241 (1) The applicant's name, the street address of the applicant's
242 principal residence and, if different, the applicant's mailing address;

243 (2) The name and mailing address of each other owner of the vessel;

244 (3) The hull identification number for the vessel or, if none, an
245 application to the Department of Energy and Environmental
246 Protection for the issuance of a hull identification number for the
247 vessel;

248 (4) The vessel number for the vessel or, if none has been issued by
249 the Department of Motor Vehicles, an application for a vessel number;

250 (5) A description of the vessel as required by the Department of
251 Motor Vehicles, which shall include:

252 (A) The official number for the vessel, if any, assigned by the United
253 States Coast Guard;

254 (B) The name of the manufacturer, builder or maker;

255 (C) The model year or the year in which the manufacture or build of
256 the vessel was completed;

257 (D) The overall length of the vessel;

258 (E) The vessel type;

259 (F) The hull material;

260 (G) The propulsion type;

- 261 (H) The engine drive type, if any; and
- 262 (I) The fuel type, if any;
- 263 (6) An indication of all security interests in the vessel known to the
264 applicant and the name and mailing address of each secured party;
- 265 (7) A statement that the vessel is not a documented vessel or a
266 foreign-documented vessel;
- 267 (8) Any title brand known to the applicant and, if known, the
268 jurisdiction under whose law the title brand was created;
- 269 (9) If the application is made in connection with a transfer of
270 ownership, the transferor's name, street address and, if different,
271 mailing address, the sales price, if any, and the date of the transfer;
- 272 (10) If the vessel previously was registered or titled in another
273 jurisdiction, a statement identifying each jurisdiction known to the
274 applicant in which the vessel was registered or titled; and
- 275 (11) Any further information the commissioner reasonably requires
276 to identify the vessel and to enable the commissioner to determine
277 whether the owner is entitled to a certificate of title and the existence
278 or nonexistence of security interests in the vessel.
- 279 (c) In addition to the information required by subsection (b) of this
280 section, an application for a certificate of title may contain an electronic
281 communication address of the owner, transferor or secured party.
- 282 (d) Except as otherwise provided in sections 18 to 21, inclusive, of
283 this act, an application for a certificate of title shall be accompanied by:
- 284 (1) A certificate of title signed by the owner shown on the certificate
285 of title that:
- 286 (A) Identifies the applicant as the owner of the vessel; or

287 (B) Is accompanied by a record that identifies the applicant as the
288 owner; or

289 (2) If there is no certificate of title:

290 (A) If the vessel was a documented vessel, a record issued by the
291 United States Coast Guard which shows the vessel is no longer a
292 documented vessel and identifies the applicant as the owner;

293 (B) If the vessel was a foreign-documented vessel, a record issued
294 by the foreign country which shows the vessel is no longer a foreign-
295 documented vessel and identifies the applicant as the owner; or

296 (C) In all other cases, a certificate of origin, bill of sale or other
297 record that to the satisfaction of the department identifies the applicant
298 as the owner.

299 (e) A record submitted in connection with an application is part of
300 the application. The department shall maintain the record in its files.

301 (f) The department may require that an application for a certificate
302 of title be accompanied by payment or evidence of payment of any or
303 all fees and taxes payable by the applicant under the law of this state,
304 other than fees paid in connection with the application or the
305 acquisition or use of the vessel.

306 Sec. 8. (NEW) (*Effective January 1, 2016*) (a) Unless an application for
307 a certificate of title is rejected pursuant to subsection (c) or (d) of this
308 section, the Department of Motor Vehicles shall create a certificate of
309 title for the vessel in accordance with subsection (b) of this section after
310 delivery of an application to the department that complies with section
311 7 of this act.

312 (b) If the department creates electronic certificates of title, the
313 department shall create an electronic certificate of title unless in the
314 application the secured party of record or, if none, the owner of record,
315 requests that the department create a written certificate of title.

316 (c) Except as otherwise provided in subsection (d) of this section, the
317 department may reject an application for a certificate of title only if:

318 (1) The application does not comply with section 7 of this act;

319 (2) The application does not contain documentation sufficient for
320 the department to determine whether the applicant is entitled to a
321 certificate of title;

322 (3) There is a reasonable basis for concluding that the application is
323 fraudulent or issuance of a certificate of title would facilitate a
324 fraudulent or illegal act; or

325 (4) The application does not comply with state law.

326 (d) The department shall reject an application for a certificate of title
327 for a vessel that appears from the application to be a documented
328 vessel or a foreign-documented vessel.

329 (e) The department may cancel a certificate of title created by the
330 department only if the department:

331 (1) Could have rejected the application for the certificate of title
332 under subsection (c) of this section;

333 (2) Is required to cancel the certificate of title pursuant to this section
334 or section 11, 18 or 19 of this act; or

335 (3) Receives satisfactory evidence that the vessel is a documented
336 vessel or a foreign-documented vessel.

337 Sec. 9. (NEW) (*Effective January 1, 2016*) (a) A certificate of title shall
338 contain:

339 (1) The date the certificate of title was created;

340 (2) The name of the owner of record and, if not all owners are listed,
341 an indication that there are additional owners indicated in the files of

342 the Department of Motor Vehicles;

343 (3) The mailing address of the owner of record;

344 (4) The hull identification number;

345 (5) The information listed in subdivision (5) of subsection (b) of
346 section 7 of this act;

347 (6) Except as otherwise provided in subsection (b) of section 14 of
348 this act, the name and mailing address of the secured party of record, if
349 any, and, if not all secured parties are listed, an indication that there
350 are other security interests indicated in the files of the department;

351 (7) All title brands indicated in the files of the department covering
352 the vessel, including, but not limited to, brands indicated on a
353 certificate of title created by a governmental agency of another
354 jurisdiction and delivered to the department; and

355 (8) Any other information the Commissioner of Motor Vehicles
356 prescribes.

357 (b) Nothing in sections 1 to 32, inclusive, of this act shall preclude
358 the department from noting on a certificate of title the name and
359 mailing address of a secured party that is not a secured party of record.

360 (c) For each title brand indicated on a certificate of title, the
361 certificate of title shall identify the jurisdiction under whose law the
362 title brand was created or the jurisdiction that created the certificate of
363 title on which the title brand was indicated. If the meaning of a title
364 brand is not easily ascertainable or cannot be accommodated on the
365 certificate of title, the certificate of title may state: "Previously branded
366 in (insert the jurisdiction under whose law the title brand was created
367 or whose certificate of title previously indicated the title brand)".

368 (d) If the files of the department indicate that a vessel previously
369 was registered or titled in a foreign country, the department shall

370 indicate on the certificate of title that the vessel was registered or titled
371 in that country.

372 (e) A written certificate of title shall contain a form that all owners
373 indicated on the certificate of title may sign to evidence consent to a
374 transfer of an ownership interest to another person. The form shall
375 include a certification, signed under penalty of false statement, that the
376 statements made are true and correct to the best of each owner's
377 knowledge, information and belief.

378 Sec. 10. (NEW) (*Effective January 1, 2016*) (a) For each record relating
379 to a certificate of title submitted to the Department of Motor Vehicles,
380 the department shall:

381 (1) Maintain the hull identification number and all the information
382 submitted with the application pursuant to subsection (b) of section 7
383 of this act to which the record relates, including the date and time the
384 record was delivered to the department;

385 (2) Maintain the files for public inspection; and

386 (3) Index the files of the department pursuant to subsection (b) of
387 this section.

388 (b) The department shall maintain in its files the information
389 contained in all certificates of title created pursuant to section 8 of this
390 act. The information in the files of the department shall be searchable
391 by the hull identification number for the vessel, the vessel number, the
392 name of the owner of record and any other method used by the
393 department.

394 (c) The department shall maintain in its files, for each vessel for
395 which it has created a certificate of title, all title brands known to the
396 department, the name of each secured party known to the department,
397 the name of each person known to the department to be claiming an
398 ownership interest and all stolen property reports the department has
399 received.

400 (d) Upon request, for safety, security or law enforcement purposes,
401 the department shall provide to federal, state or local government the
402 information in its files relating to any vessel for which the department
403 has issued a certificate of title.

404 (e) Except as otherwise provided by the general statutes, the
405 information required pursuant to section 9 of this act is a public record.

406 Sec. 11. (NEW) (*Effective January 1, 2016*) (a) On creation of a written
407 certificate of title, the Department of Motor Vehicles shall send the
408 certificate of title to the secured party of record or, if none, to the
409 owner of record, at the address indicated for that person in the files of
410 the department. On creation of an electronic certificate of title, the
411 department shall send a record evidencing the certificate of title to the
412 owner of record and, if there is a secured party of record, to such
413 secured party at the address indicated for that person in the files of the
414 department. The department may send the record to the person's
415 mailing address or, if indicated in the files of the department, an
416 electronic address.

417 (b) If the department creates a written certificate of title, any such
418 written certificate of title shall cancel any such electronic certificate of
419 title. The department shall maintain in its files the date and time of
420 such cancellation.

421 (c) Before the department creates an electronic certificate of title, any
422 person holding a written certificate of title shall surrender such written
423 certificate of title. If the department creates an electronic certificate of
424 title, the department shall destroy or otherwise cancel any such
425 surrendered written certificate of title and maintain in its files the date
426 and time of such destruction or other cancellation. If a written
427 certificate of title being canceled is not destroyed, the department shall
428 indicate on the face of the certificate of title that it has been canceled.

429 Sec. 12. (NEW) (*Effective January 1, 2016*) A certificate of title is prima
430 facie evidence of the accuracy of the information in the record that

431 constitutes the certificate of title. In any criminal proceeding, a certified
432 copy of a certificate of title shall be prima facie evidence as to the
433 ownership of a vessel.

434 Sec. 13. (NEW) (*Effective January 1, 2016*) Possession of a certificate of
435 title does not in and of itself provide a right to obtain possession of a
436 vessel. Garnishment, attachment, levy, replevin or other judicial
437 process against the certificate of title shall not be effective to determine
438 possessory rights to the vessel. Sections 1 to 32, inclusive, of this act do
439 not prohibit enforcement under the law of this state other than said
440 sections of a security interest in, levy on, or foreclosure of a statutory
441 or common law lien on a vessel. Absence of an indication of a statutory
442 or common law lien on a certificate of title shall not invalidate the lien.

443 Sec. 14. (NEW) (*Effective January 1, 2016*) (a) Except as otherwise
444 provided in this section or section 27 of this act, a security interest in a
445 vessel may be perfected only by delivery to the Department of Motor
446 Vehicles of an application for a certificate of title that identifies the
447 secured party and otherwise complies with section 7 of this act. The
448 security interest shall be perfected on the later of delivery to the
449 department of the application and all applicable fees or attachment of
450 the security interest under section 42a-9-203 of the general statutes.

451 (b) If the interest of a person named as owner, lessor, consignor or
452 bailor in an application for a certificate of title delivered to the
453 department is a security interest, the application sufficiently identifies
454 the person as a secured party. Identification on the application for a
455 certificate of title of a person as owner, lessor, consignor or bailor shall
456 not in and of itself be a factor in determining whether the person's
457 interest is a security interest.

458 (c) If the department has created a certificate of title for a vessel, a
459 security interest in the vessel may be perfected by delivery to the
460 department of an application, in such form as the department may
461 require, to have the security interest added to the certificate of title.
462 The application shall be signed by an owner of the vessel or by the

463 secured party and shall include:

464 (1) The name of the owner of record;

465 (2) The name and mailing address of the secured party;

466 (3) The hull identification number for the vessel; and

467 (4) If the department has created a written certificate of title for the
468 vessel, the certificate of title.

469 (d) A security interest perfected under subsection (c) of this section
470 shall be perfected on the later of delivery to the department of the
471 application and all applicable fees or attachment of the security interest
472 under section 42a-9-203 of the general statutes.

473 (e) On delivery of an application that complies with subsection (c) of
474 this section and payment of all applicable fees, the department shall
475 create a new certificate of title pursuant to section 8 of this act and
476 deliver the new certificate of title or a record evidencing an electronic
477 certificate of title pursuant to subsection (a) of section 11 of this act.
478 The department shall maintain in its files the date and time of delivery
479 of the application to the department.

480 (f) If a secured party assigns a perfected security interest in a vessel,
481 the receipt by the department of a statement providing the name of the
482 assignee as secured party shall not be required to continue the
483 perfected status of the security interest against creditors of and
484 transferees from the original debtor. A purchaser of a vessel subject to
485 a security interest which obtains a release from the secured party
486 indicated in the files of the department or on the certificate of title
487 takes free of the security interest and of the rights of a transferee unless
488 the transfer is indicated in the files of the department or on the
489 certificate of title.

490 (g) The provisions of this section shall not apply to a security
491 interest:

492 (1) Created in a vessel by a person during any period in which the
493 vessel is inventory held for sale or lease by the person or is leased by
494 the person as lessor if the person is in the business of selling vessels;

495 (2) In a barge or any other vessel for which a certificate of title is not
496 permitted under sections 1 to 32, inclusive, of this act; or

497 (3) In a vessel before delivery if the vessel is under construction, or
498 completed, pursuant to contract and for which no application for a
499 certificate of title has been delivered to the department.

500 (h) When a certificate of documentation for a documented vessel is
501 deleted or canceled, if a security interest in the vessel was valid
502 immediately before deletion or cancellation against a third party as a
503 result of compliance with 46 USC 31321, the security interest is and
504 remains perfected until the earlier of four months after deletion or
505 cancellation of the certificate or the time the security interest becomes
506 perfected under this section.

507 (i) A security interest in a vessel arising under section 42a-2-401 or
508 42a-2-505 of the general statutes, subdivision (3) of section 42a-2-711 of
509 the general statutes or subsection (d) of section 42a-2A-724 of the
510 general statutes shall be perfected when it attaches but shall become
511 unperfected when the debtor obtains possession of the vessel, unless
512 before the debtor obtains possession the security interest is perfected
513 pursuant to subsection (a) or (c) of this section.

514 (j) A security interest in a vessel as proceeds of other collateral shall
515 be perfected to the extent provided in section 42a-9-315 of the general
516 statutes.

517 (k) A security interest in a vessel perfected under the law of another
518 jurisdiction shall be perfected to the extent provided in subsection (d)
519 of section 42a-9-316 of the general statutes.

520 Sec. 15. (NEW) (*Effective January 1, 2016*) (a) A secured party
521 indicated in the files of the Department of Motor Vehicles as having a

522 security interest in a vessel shall deliver a termination statement to the
523 department in such form as the department prescribes and, on the
524 debtor's request, to the debtor, by the earlier of:

525 (1) Twenty days after the secured party receives a signed demand
526 from an owner for a termination statement and there is no obligation
527 secured by the vessel subject to the security interest and no
528 commitment to make an advance, incur an obligation or otherwise
529 give value secured by the vessel; or

530 (2) If the vessel is consumer goods, thirty days after there is no
531 obligation secured by the vessel and no commitment to make an
532 advance, incur an obligation or otherwise give value secured by the
533 vessel.

534 (b) If the department has created a written certificate of title and
535 delivered such certificate of title to a secured party and a termination
536 statement is required under subsection (a) of this section, the secured
537 party shall, not later than the date required by subsection (a) of this
538 section, deliver the certificate of title to the debtor or to the department
539 with the statement. If the certificate of title is lost, stolen, mutilated,
540 destroyed or otherwise unavailable or illegible, the secured party shall,
541 not later than the date required by subsection (a) of this section, deliver
542 with the statement an application for a replacement certificate of title
543 meeting the requirements of section 21 of this act.

544 (c) On delivery to the department of a termination statement
545 authorized by the secured party, the security interest to which the
546 statement relates ceases to be perfected. If the security interest to
547 which the statement relates was indicated on the certificate of title, the
548 department shall create a new certificate of title and deliver such new
549 certificate of title or a record evidencing an electronic certificate of title.
550 The department shall maintain in its files the date and time of delivery
551 to the department of the statement.

552 (d) A secured party that fails to comply with this section shall be

553 liable for any loss that the secured party had reason to know might
554 result from its failure to comply and that could not reasonably have
555 been prevented and for the cost of an application for a certificate of
556 title under section 7 or 21 of this act.

557 (e) The Commissioner of Motor Vehicles may require a secured
558 party indicated in the files of the department as having a security
559 interest in a vessel to electronically transmit to the department a
560 termination statement evidencing release of its security interest in a
561 vessel.

562 Sec. 16. (NEW) (*Effective January 1, 2016*) (a) Upon voluntary transfer
563 of an ownership interest in a vessel covered by a certificate of title, the
564 following rules apply:

565 (1) If the certificate of title is a written certificate of title and the
566 transferor's interest is noted on the certificate of title, the transferor
567 shall sign the certificate of title and deliver it to the transferee. If the
568 transferor does not have possession of the certificate of title, the person
569 in possession of the certificate of title shall have a duty to facilitate the
570 transferor's compliance with this subdivision. A secured party shall
571 not have a duty to facilitate the transferor's compliance with this
572 subdivision if the proposed transfer is prohibited by the security
573 agreement.

574 (2) If the certificate of title is an electronic certificate of title, the
575 transferor shall sign and deliver to the transferee a record evidencing
576 the transfer of ownership to the transferee.

577 (3) The transferee shall have a right enforceable by specific
578 performance to require the transferor to comply with the provisions of
579 subdivision (1) or (2) of this subsection.

580 (b) The creation of a certificate of title identifying the transferee as
581 owner of record shall satisfy subsection (a) of this section.

582 (c) Failure to comply with subsection (a) of this section or to apply

583 for a new certificate of title shall not render a transfer of ownership of a
584 vessel ineffective. Except as otherwise provided in section 17, section
585 18, subsection (a) of section 22 or section 23 of this act, a transfer of
586 ownership without compliance with subsection (a) of this section shall
587 not be effective against another person claiming an interest in the
588 vessel.

589 (d) A transferor that complies with subsection (a) of this section
590 shall not be liable as owner of the vessel for an event occurring after
591 the transfer, regardless of whether the transferee applies for a new
592 certificate of title.

593 Sec. 17. (NEW) (*Effective January 1, 2016*) Except as otherwise
594 provided in section 42a-9-337 of the general statutes, a certificate of
595 title or other record required or authorized by sections 1 to 32,
596 inclusive, of this act shall be effective even if it contains incorrect
597 information or does not contain required information.

598 Sec. 18. (NEW) (*Effective January 1, 2016*) (a) For the purposes of this
599 section, "secured party's transfer statement" means a record signed by
600 the secured party of record stating:

601 (1) That there has been a default on an obligation to the secured
602 party of record secured by the vessel;

603 (2) The secured party of record is exercising or has exercised post-
604 default remedies with respect to the vessel;

605 (3) By reason of the exercise, the secured party of record has the
606 right to transfer the ownership interest of an owner, and the name of
607 the owner;

608 (4) The name and last known mailing address of the owner of
609 record and the secured party of record;

610 (5) The name of the transferee;

611 (6) Other information required by subsection (b) of section 7 of this
612 act; and

613 (7) One of the following:

614 (A) The certificate of title is an electronic certificate of title;

615 (B) The secured party does not have possession of the written
616 certificate of title created in the name of the owner of record; or

617 (C) The secured party is delivering the written certificate of title to
618 the Department of Motor Vehicles with the secured party's transfer
619 statement.

620 (b) Unless the department rejects a secured party's transfer
621 statement for a reason stated in subsection (c) of section 8 of this act,
622 after delivery to the department of the statement and payment of fees
623 and taxes payable under the law of this state, other than sections 1 to
624 32, inclusive, of this act, in connection with the statement or the
625 acquisition or use of the vessel, the department shall:

626 (1) Accept the statement;

627 (2) Amend the files of the department to reflect the transfer; and

628 (3) If the name of the owner whose ownership interest is being
629 transferred is indicated on the certificate of title:

630 (A) Cancel the certificate of title even if the certificate of title has not
631 been delivered to the department;

632 (B) Create a new certificate of title indicating the transferee as
633 owner; and

634 (C) Deliver the new certificate of title or a record evidencing an
635 electronic certificate of title.

636 (c) An application submitted under subsection (a) of this section or

637 the creation of a certificate of title under subsection (b) of this section
638 shall not in and of itself be a disposition of the vessel and shall not in
639 and of itself relieve the secured party of its duties under article 9 of
640 title 42a of the general statutes.

641 Sec. 19. (NEW) (*Effective January 1, 2016*) (a) For purposes of this
642 section:

643 (1) "By operation of law" means pursuant to a law or judicial order
644 affecting ownership of a vessel:

645 (A) Because of death, divorce or other family law proceeding,
646 merger, consolidation, dissolution or bankruptcy;

647 (B) Through the exercise of the rights of a lien creditor or a person
648 having a lien created by statute or rule of law; or

649 (C) Through other legal process; and

650 (2) "Transfer-by-law statement" means a record signed by a
651 transferee stating that by operation of law the transferee has acquired
652 or has the right to acquire an ownership interest in a vessel.

653 (b) A transfer-by-law statement shall contain:

654 (1) The name and last-known mailing address of the owner of
655 record and the transferee and the other information required pursuant
656 to subsection (b) of section 7 of this act;

657 (2) Documentation sufficient to establish the transferee's ownership
658 interest or right to acquire the ownership interest;

659 (3) A statement that:

660 (A) The certificate of title is an electronic certificate of title;

661 (B) The transferee does not have possession of the written certificate
662 of title created in the name of the owner of record; or

663 (C) The transferee is delivering the written certificate of title to the
664 Department of Motor Vehicles with the transfer-by-law statement; and

665 (4) Except for a transfer described in subparagraph (A) of
666 subdivision (1) of subsection (a) of this section, evidence that
667 notification of the transfer and the intent to file the transfer-by-law
668 statement has been sent to all persons indicated in the department's
669 files as having an interest, including a security interest, in the vessel.

670 (c) Unless the department rejects a transfer-by-law statement for a
671 reason stated in subsection (c) of section 8 of this act or because the
672 statement does not include documentation satisfactory to the
673 department as to the transferee's ownership interest or right to acquire
674 the ownership interest, after delivery to the department of the
675 statement and payment of fees and taxes payable under the law of this
676 state other than sections 1 to 32, inclusive, of this act in connection with
677 the statement or with the acquisition or use of the vessel, the
678 department shall:

679 (1) Accept the statement;

680 (2) Amend its files to reflect the transfer; and

681 (3) If the name of the owner whose ownership interest is being
682 transferred is indicated on the certificate of title:

683 (A) Cancel the certificate of title even if the certificate of title has not
684 been delivered to the department;

685 (B) Create a new certificate of title indicating the transferee as
686 owner;

687 (C) Indicate on the new certificate of title any security interest
688 indicated on the canceled certificate of title, unless a court order
689 provides otherwise; and

690 (D) Deliver the new certificate of title or a record evidencing an

691 electronic certificate of title.

692 (d) The provisions of this section shall not apply to a transfer of an
693 interest in a vessel by a secured party under sections 42a-9-601 to 42a-
694 9-628, inclusive, of the general statutes.

695 Sec. 20. (NEW) (*Effective January 1, 2016*) (a) Except as otherwise
696 provided in section 18 or 19 of this act, if the Department of Motor
697 Vehicles receives, unaccompanied by a signed certificate of title, an
698 application for a new certificate of title that includes an indication of a
699 transfer of ownership or a termination statement, the department may
700 create a new certificate of title under this section only if:

701 (1) All other requirements under sections 7 and 8 of this act are met;

702 (2) The applicant provides an affidavit stating facts showing the
703 applicant is entitled to a transfer of ownership or termination
704 statement;

705 (3) The applicant provides the department with satisfactory
706 evidence in such form as the department prescribes that notification of
707 the application has been sent to the owner of record and all persons
708 indicated in the department's files as having an interest, including a
709 security interest, in the vessel, not less than forty-five days have passed
710 since the notification was sent, and the department has not received an
711 objection from such owner or persons; and

712 (4) The applicant submits any other information required by the
713 department as evidence of the applicant's ownership or right to
714 terminate the security interest, and the department has no credible
715 information indicating theft, fraud or an undisclosed or unsatisfied
716 security interest, lien or other claim to an interest in the vessel.

717 (b) The department shall indicate in a certificate of title created
718 under subsection (a) of this section that the certificate of title was
719 created without submission of a signed certificate of title or
720 termination statement. Unless credible information indicating theft,

721 fraud or an undisclosed or unsatisfied security interest, lien or other
722 claim to an interest in the vessel is delivered to the department not
723 later than one year after creation of the certificate of title, on request in
724 a form and manner required by the department, the department shall
725 remove the indication from the certificate of title.

726 (c) Unless the department determines that the value of a vessel is
727 less than five thousand dollars, before the department creates a
728 certificate of title under subsection (a) of this section, the department
729 may require the applicant to post a bond or provide an equivalent
730 source of indemnity or security. The bond, indemnity or other security
731 shall be in an amount equal to twice the value of the vessel as
732 determined by the department. The bond, indemnity or other security
733 shall be in a form required by the department and provide for
734 indemnification of any owner, purchaser or other claimant for any
735 expense, loss, delay or damage, including reasonable attorney's fees
736 and costs, but not including incidental or consequential damages,
737 resulting from creation or amendment of the certificate of title.

738 (d) Unless the department receives a claim for indemnity not later
739 than one year after creation of a certificate of title under subsection (a)
740 of this section, on request in a form and manner required by the
741 department, the department shall release any bond, indemnity or other
742 security.

743 Sec. 21. (NEW) (*Effective January 1, 2016*) (a) If a written certificate of
744 title is lost, stolen, mutilated, destroyed or otherwise becomes
745 unavailable or illegible, the secured party of record or, if no secured
746 party is indicated in the Department of Motor Vehicle's files, the owner
747 of record may apply for and, by furnishing information satisfactory to
748 the department, obtain a replacement certificate of title in the name of
749 the owner of record.

750 (b) An applicant for a replacement certificate of title shall sign the
751 application and, except as otherwise permitted by the department, the
752 application shall comply with section 7 of this act. The application

753 shall include the existing certificate of title unless the certificate of title
754 is lost, stolen, mutilated, destroyed or otherwise unavailable.

755 (c) A replacement certificate of title created by the department shall
756 comply with section 9 of this act and indicate on the face of the
757 certificate of title that it is a replacement certificate of title.

758 (d) If a person receiving a replacement certificate of title
759 subsequently obtains possession of the original written certificate of
760 title, the person promptly shall destroy the original certificate of title.

761 Sec. 22. (NEW) (*Effective January 1, 2016*) (a) A buyer in ordinary
762 course of business shall have the protections afforded by subdivision
763 (2) of section 42a-2-403 of the general statutes and subsection (a) of
764 section 42a-9-320 of the general statutes even if an existing certificate of
765 title was not signed and delivered to the buyer or a new certificate of
766 title listing the buyer as owner of record was not created.

767 (b) Except as otherwise provided in sections 16 and 23 of this act,
768 the rights of a purchaser of a vessel who is not a buyer in ordinary
769 course of business or a lien creditor shall be governed by the
770 provisions of title 42a of the general statutes.

771 Sec. 23. (NEW) (*Effective January 1, 2016*) (a) Subject to subsection (b)
772 of this section, the effect of perfection and nonperfection of a security
773 interest and the priority of a perfected or unperfected security interest
774 with respect to the rights of a purchaser or creditor, including a lien
775 creditor, shall be governed by the provisions of title 42a of the general
776 statutes.

777 (b) If, while a security interest in a vessel is perfected by any method
778 under section 14 of this act, the Department of Motor Vehicles creates a
779 certificate of title that does not indicate that the vessel is subject to the
780 security interest or contain a statement that it may be subject to
781 security interests not indicated on the certificate of title:

782 (1) A buyer of the vessel, other than a person in the business of

783 selling or leasing vessels of that kind, takes free of the security interest
784 if the buyer, acting in good faith and without knowledge of the
785 security interest, gives value and receives possession of the vessel; and

786 (2) The security interest is subordinate to a conflicting security
787 interest in the vessel that is perfected under section 14 of this act after
788 creation of the certificate of title and without the secured party's
789 knowledge of the conflicting security interest.

790 Sec. 24. (NEW) (*Effective January 1, 2016*) (a) The Department of
791 Motor Vehicles shall retain the evidence used by the department to
792 determine the accuracy of the information in its files relating to the
793 current ownership of a vessel and the information on the certificate of
794 title.

795 (b) The department shall retain in its files all information received
796 by the department regarding a security interest in a vessel for not less
797 than ten years after the department receives a termination statement
798 regarding the security interest. The information shall be accessible by
799 the hull identification number for the vessel and any other methods
800 provided by the department.

801 (c) If a person submits a record to the department, or submits
802 information that the department accepts, and requests an
803 acknowledgment of the filing or submission, the department shall send
804 to the person an acknowledgment showing the hull identification
805 number for the vessel to which the record or submission relates, the
806 information in the filed record or submission, and the date and time
807 the record was received or the submission accepted. A request under
808 this section shall contain the hull identification number and be
809 delivered by means authorized by the department.

810 (d) The department shall send or otherwise make available in a
811 record the following information to any person that requests it and
812 pays all applicable fees:

813 (1) Whether the files of the department indicate, as of a date and

814 time specified by the department, but not a date earlier than ten
815 calendar days before the department received the request, any
816 certificate of title, security interest, termination statement or title brand
817 that relates to a vessel:

818 (A) Identified by a hull identification number designated in the
819 request;

820 (B) Identified by a vessel number designated in the request; or

821 (C) Owned by a person designated in the request;

822 (2) With respect to the vessel:

823 (A) The name and address of any owner as indicated in the files of
824 the department or on the certificate of title;

825 (B) The name and address of any secured party as indicated in the
826 files of the department or on the certificate of title, and the effective
827 date of the information; and

828 (C) A copy of any termination statement indicated in the files of the
829 department and the effective date of the termination statement; and

830 (3) With respect to the vessel, a copy of any certificate of origin,
831 secured party's transfer statement under section 18 of this act,
832 transfer-by-law statement under section 19 of this act and other
833 evidence of previous or current transfers of ownership.

834 (e) In responding to a request under this section, the department
835 may provide the requested information in any medium, provided on
836 request and upon payment of all applicable fees, the department shall
837 communicate the requested information by issuing the department's
838 written document.

839 Sec. 25. (NEW) (*Effective January 1, 2016*) In applying and construing
840 the provisions of sections 1 to 32, inclusive, of this act, consideration
841 shall be given to the need to promote uniformity of the law with

842 respect to its subject matter among states that enact such uniform
843 provisions.

844 Sec. 26. (NEW) (*Effective January 1, 2016*) The provisions of sections 1
845 to 32, inclusive, of this act modify, limit, and supersede the federal
846 Electronic Signatures in Global and National Commerce Act, 15 USC
847 7001, et seq., but do not modify, limit or supersede Section 101(c) of
848 said act, 15 USC 7001(c), or authorize electronic delivery of any of the
849 notices described in Section 103(b) of said act, 15 USC 7003(b).

850 Sec. 27. (NEW) (*Effective January 1, 2016*) (a) The rights, duties and
851 interests flowing from a transaction, certificate of title or record
852 relating to a vessel that was validly entered into or created before
853 January 1, 2016, and would be subject to sections 1 to 32, inclusive, of
854 this act if it had been entered into or created on or after January 1,
855 2016, remain valid on and after January 1, 2016.

856 (b) Sections 1 to 32, inclusive, of this act do not affect an action or
857 proceeding commenced before January 1, 2016.

858 (c) Except as otherwise provided in subsection (d) of this section, a
859 security interest that is enforceable immediately before January 1, 2016,
860 and would have priority over the rights of a person that becomes a lien
861 creditor at that time is a perfected security interest under sections 1 to
862 32, inclusive, of this act.

863 (d) A security interest in a vessel for which a certificate of title is
864 required under sections 1 to 32, inclusive, of this act that is perfected
865 immediately before January 1, 2016, remains perfected until the earlier
866 of:

867 (1) The time perfection would have ceased under the law under
868 which the security interest was perfected; or

869 (2) January 1, 2019.

870 (e) Sections 1 to 32, inclusive, of this act shall not affect the priority

871 of a security interest in a vessel if immediately before January 1, 2016,
872 the security interest is enforceable and perfected, and that priority is
873 established.

874 Sec. 28. (NEW) (*Effective January 1, 2016*) (a) The department shall be
875 paid the following fees: (1) For filing an application for a certificate of
876 title, twenty-five dollars; (2) for each security interest noted upon a
877 certificate of title or maintained in the electronic title file pursuant to
878 subsection (b) of section 14 of this act, ten dollars; (3) for each record
879 copy search, twenty dollars; (4) for each assignment of a security
880 interest noted upon a certificate of title or maintained in the electronic
881 title file, ten dollars; (5) for an application for a replacement certificate
882 of title, twenty-five dollars, provided such fee shall not be required for
883 any such replacement certificate of title; (6) for filing a notice of
884 security interest, ten dollars; (7) for filing a termination statement
885 relating to a security interest pursuant to section 15 of this act, ten
886 dollars; (8) for filing a secured party's transfer statement pursuant to
887 section 18 of this act, twenty-five dollars; (9) for filing a transfer-by-law
888 statement pursuant to section 19 of this act, twenty-five dollars; (10) for
889 filing an application for transfer of ownership or termination of a
890 security interest without a certificate of title pursuant to section 20 of
891 this act, twenty-five dollars; (11) for a certificate of search of the
892 records of the department for each name or hull identification number
893 searched against, twenty dollars; (12) for filing an assignment of
894 security interest, ten dollars; (13) for search of a vessel certificate of title
895 record, requested by a person other than the owner of record of such
896 vessel, twenty dollars; and (14) for a certified copy of any
897 documentation, information or other record maintained or created by
898 the department, twenty dollars.

899 (b) If an application, certificate of title or other document required to
900 be delivered to the department under any provision of sections 1 to 32,
901 inclusive, of this act is not delivered to the department within ten days
902 from the time it is required to be delivered, the department shall
903 collect, as a penalty, an amount equal to the fee required for the

904 transaction.

905 (c) Vessels leased to an agency of this state and vessels owned by
906 the state, an agency of the state or a municipality, as defined in section
907 7-245 of the general statutes, shall be exempt from the fees imposed by
908 this section.

909 Sec. 29. (NEW) (*Effective January 1, 2016*) (a) The Commissioner of
910 Motor Vehicles shall prescribe and provide suitable forms of
911 applications, certificates of title, notices of security interests and all
912 other notices and forms necessary to carry out the provisions of
913 sections 1 to 32, inclusive, of this act.

914 (b) The commissioner may: (1) Make necessary investigations to
915 procure information required to carry out the provisions of sections 1
916 to 32, inclusive, of this act; and (2) adopt and enforce reasonable rules
917 to carry out the provisions of said sections of this act.

918 (c) The commissioner may adopt regulations, in accordance with the
919 provisions of chapter 54 of the general statutes, to provide for the
920 implementation of any of the provisions of sections 1 to 32, inclusive,
921 of this act and for the placement of additional indications on any
922 certificate of title concerning the condition of or status of title to any
923 vessel. An indication shall be placed on a certificate of title stating that
924 the vessel may be subject to security interests not shown on the
925 certificate of title when: (1) This state becomes the state of principal use
926 of the vessel from another state; (2) the vessel was not a documented or
927 foreign-documented vessel immediately prior to the application for the
928 certificate of title; and (3) the immediately previous state of principal
929 use of the vessel did not issue, or does not have a requirement for, a
930 certificate of title for the vessel. Such regulations, as may be adopted
931 by the commissioner, shall provide for an opportunity for a hearing, in
932 accordance with the provisions of chapter 54 of the general statutes
933 and section 30 of this act, for any person aggrieved by any action,
934 omission to act or decision of the commissioner or of the Department
935 of Motor Vehicles made pursuant to this subsection.

936 (d) The commissioner shall adopt regulations, in accordance with
937 the provisions of chapter 54 of the general statutes, concerning the
938 inclusion of a title brand on a certificate of title for a vessel. In adopting
939 such regulations, the commissioner shall consider whether special
940 branding categories such as "hull damaged" shall be included on the
941 certificate of title for a vessel.

942 Sec. 30. (NEW) (*Effective January 1, 2016*) Any person aggrieved by
943 an action, omission to act or decision of the Commissioner of Motor
944 Vehicles or of the Department of Motor Vehicles under sections 1 to 32,
945 inclusive, of this act shall be entitled, upon request, to a hearing in
946 accordance with the provisions of chapter 54 of the general statutes.

947 Sec. 31. (NEW) (*Effective January 1, 2016*) Any person aggrieved by
948 an action, omission to act or decision of the Commissioner of Motor
949 Vehicles or of the Department of Motor Vehicles under sections 1 to 32,
950 inclusive, of this act may appeal therefrom in accordance with the
951 provisions of section 4-183 of the general statutes, except venue for
952 such appeal shall be in the judicial district of New Britain.

953 Sec. 32. (NEW) (*Effective January 1, 2016*) (a) Any person who, with
954 fraudulent intent: (1) Alters, forges or counterfeits a certificate of title;
955 (2) alters or forges an assignment of a certificate of title, or an
956 assignment or release of a security interest or a termination statement,
957 on a certificate of title or a form the Department of Motor Vehicles
958 prescribes; (3) has possession of or uses a certificate of title knowing it
959 to have been altered, forged or counterfeited; or (4) uses a false or
960 fictitious name or address, or makes a material false statement, or fails
961 to disclose a security interest, or conceals any other material fact, in an
962 application for a certificate of title, shall be fined not less than five
963 hundred dollars or more than one thousand dollars or be imprisoned
964 not less than one year or more than five years or be both fined and
965 imprisoned.

966 (b) Any person who: (1) With fraudulent intent, permits another
967 person, not entitled thereto, to use or have possession of a certificate of

968 title; (2) wilfully fails to deliver an application for a certificate of title to
 969 the department within ten days after the time required by section 6 of
 970 this act; (3) wilfully fails to deliver to such person's transferee a
 971 certificate of title within ten days after the time required by section 16
 972 of this act; or (4) wilfully violates any provision of sections 1 to 32,
 973 inclusive, of this act, other than subdivision (2) or (3) of this subsection
 974 and except as provided in subsection (a) of this section, shall be fined
 975 not more than one thousand dollars or be imprisoned not more than
 976 two years or be both fined and imprisoned.

977 Sec. 33. Subdivision (2) of subsection (a) of section 14-10 of the
 978 general statutes is repealed and the following is substituted in lieu
 979 thereof (*Effective January 1, 2016*):

980 (2) "Motor vehicle record" means any record that pertains to an
 981 operator's license, instruction permit, identity card, registration,
 982 certificate of title or any other document issued by the Department of
 983 Motor Vehicles. "Motor vehicle record" does not include any record
 984 relating to vessels and certificates of title for vessels, as provided in
 985 section 10 of this act;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2016</i>	New section
Sec. 2	<i>January 1, 2016</i>	New section
Sec. 3	<i>January 1, 2016</i>	New section
Sec. 4	<i>January 1, 2016</i>	New section
Sec. 5	<i>January 1, 2016</i>	New section
Sec. 6	<i>January 1, 2016</i>	New section
Sec. 7	<i>January 1, 2016</i>	New section
Sec. 8	<i>January 1, 2016</i>	New section
Sec. 9	<i>January 1, 2016</i>	New section
Sec. 10	<i>January 1, 2016</i>	New section
Sec. 11	<i>January 1, 2016</i>	New section
Sec. 12	<i>January 1, 2016</i>	New section
Sec. 13	<i>January 1, 2016</i>	New section
Sec. 14	<i>January 1, 2016</i>	New section

Sec. 15	<i>January 1, 2016</i>	New section
Sec. 16	<i>January 1, 2016</i>	New section
Sec. 17	<i>January 1, 2016</i>	New section
Sec. 18	<i>January 1, 2016</i>	New section
Sec. 19	<i>January 1, 2016</i>	New section
Sec. 20	<i>January 1, 2016</i>	New section
Sec. 21	<i>January 1, 2016</i>	New section
Sec. 22	<i>January 1, 2016</i>	New section
Sec. 23	<i>January 1, 2016</i>	New section
Sec. 24	<i>January 1, 2016</i>	New section
Sec. 25	<i>January 1, 2016</i>	New section
Sec. 26	<i>January 1, 2016</i>	New section
Sec. 27	<i>January 1, 2016</i>	New section
Sec. 28	<i>January 1, 2016</i>	New section
Sec. 29	<i>January 1, 2016</i>	New section
Sec. 30	<i>January 1, 2016</i>	New section
Sec. 31	<i>January 1, 2016</i>	New section
Sec. 32	<i>January 1, 2016</i>	New section
Sec. 33	<i>January 1, 2016</i>	14-10(a)(2)

JUD *Joint Favorable*